

BERG & BERG DEVELOPERS, INC.

*10050 Bandlely Drive
Cupertino, CA 95014-2188
(408) 725-0700 fax (408) 725-1626*

7/7/07

**SFBRWQCB
1515 Clay St.
Suite 1400
Oakland, CA 94612
Ph (510) 622-230 Fax (510) 622-2460
MRP@waterboards.ca.gov**

**Reference: Draft NPDES Municipal Regional Stormwater Permit
Order R2007-XXXX NPDES Permit No. CAS00-XX**

Subject: Opposition To The Proposed Municipal Permit

We are going on record as opposing any changes to the existing Municipal Permit. In general, the Draft Permit represents a substantial departure from the Existing Permit, with numerous fundamental changes including the inclusion of numeric action levels and numeric effluent limitations and the requirement to use active treatment systems for certain sites, hydromodification and many new and onerous provisions.

This country developed one of the finest infrastructure systems in the world thru the county, city, state and federal governmental system without any of the regulations you have in affect now, but you are now allowing that infrastructure crumble before our eyes and are now saddling private industry and private facilities with burdensome, costly, questionable and ill conceived legislation such as this new proposed "Municipal Permit" that fails to meet any reasonable cost benefit test and yields negligible to nil real improvement or benefit.

We are requesting that the New Municipal Permit be terminated in its entirety and that the existing Municipal Permits continue in effect unchanged for the next 5 to 10 years.

Ill conceived legislation required the oil companies to invest billions to revamp refineries to produce and distribute MTBE based gasoline. Subsequently the oil companies and distribution facilities were required to invest billions to revamp facilities and refineries again to cease the use of MTBE based gasoline, and clean up the disastrous pollution caused by it. Ultimately the general public bears the cost of these terrible regulations that are ill conceived, untested, burdensome, onerous, costly and unfounded. The New Municipal Permit falls in this same category of ill conceived, untested, burdensome, onerous, costly and unfounded regulation.

In addition to the objections that we raise here we also incorporate by reference previous objections we have presented on prior SWRCB municipal permits.

We'll look forward to hearing from you.

Sincerely,

Myron Crawford